UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
JANVIER, JEAN D

ART UNIT	PAPER NUMBER
3688	

NOTIFICATION DATE	DELIVERY MODE
03/23/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-49</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☒ Claim(s) <u>1-23 and 25-49</u> is/are allowed.
6)☒ Claim(s) <u>24</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____ .
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

Response to Applicant's Arguments

101 Rejection

The Examiner herein drops the 101 Rejection.

102 Rejection

Applicant's arguments with respect to the claims have been considered but are moot in view of the present decision.

Further, contrary to Applicant's contention and with respect to claim 24, Dutta implicitly or explicitly supports the steps of: accessing a target web site of a content producer 103 and identifying as deep link all web page links that do not include a sequence of other related web pages or that do not start with at least the content producer's home page (in other words, all links related to web page content that go too deep into the target web site of the content producer, while bypassing the sequence of other related web pages or at least the content producer's or content provider's home page containing important information including sponsors' ads, are candidates for deep linking- see abstract);

utilizing a browsing history of web pages navigated **by a user** at said target site **of content provider 103 of fig. 1 by tracking, via a cookie, the user's activity or the originally requested deep linked or hyperlinked page from the various pages from the target web site home page to reach the desired web page content corresponding to the deep link (col. 3: 4-9),** entering or accessing, **by the user from a source web site of a content aggregator 102**, at least one target web site page **(content) (a web page of a target web site of the content producer 103 providing user's requested content)** identified as a deep link in a deep link table **or database if it requires that the user go**

deep into the target web site, when accessing the target page content, while

bypassing the sequence of other related web pages or at least the content producer's

or content provider's home page containing important information including

sponsors' ads.

> **(col. 1: 34-56; <u>col. 2: 54 to col. 3: 30</u>; col. 3: 60 to col. 4: 29; fig. 1.**

Finally, it appears that claim 24 might be restricted for being a distinct invention.

DETAILED ACTION

Specification

The title of the invention appears to be too long.

Claim Status

Claims 1-49 are currently pending in the Instant Application.

General Comments

It is herein understood that in a client-server environment where clients and

servers are connected or linked over network, i.e. LAN, WAN, MAN or Internet, the

clients have access to information or content (web page) stored on a server(s) based on

access control or permission or rules (browsing/viewing or read only, copy, print, modify

etc.). In other words, a web page content, related to a deep link or hyperlink, coupled to a

web site connected to a web server, over the Internet, has specific access rights, such as

browse/copy/print or browse/copy inhibit/print inhibit) associated therewith as specified

by the author or web site owner for enabling a user of the client to read the content or a

related abstract as specified by the author. The web pages or links (addresses)

corresponding to the deep link (i.e. hyperlink as defined in the specification) and the

respective access rights (access control) are stored before hand in a database (i.e. deep

link table).

Allowable Claims

Claims 1, 25 and 47 are allowable because the prior art of record does not teach the

combination of the claim limitations, especially "displaying web content to a visitor of a

target web site, based on a deep link table rules, the web content includes pre-display

content that is displayed prior to display of a target web page and with display content

that is displayed simultaneously with display of said target web page." Thus, claims 1-23,

25-46 and 47-49 are said to be allowable over the prior art of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 24 is rejected under 35 U.S.C. 102(e) as being anticipated by Dutta, USP

6,539, 424B1.

The applied reference has a **common** Assignee with the Instant Application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art

under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either

by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the

reference was derived from the inventor of this application and is thus not the invention

"by another," or by an appropriate showing under 37 CFR 1.

As per claim 24, Dutta discloses a system, method and program for enabling a

content provider to maintain control over the way in which a user may view the content

provider's information. If the content provider receives a request for a Web page **that is a**

deep hyperlink into the content provider's Web site (target site), then the content

provider re-routes the request to the content provider's Home page. In addition, the

content provider explicitly displays to the user, in an attached note, the next link or

sequence of links that the user should follow in order for the user to get to the desired

deep link content related to a web page of the content provider's web site or target site.

As such, users are restricted from entering deeply into content providers' Web sites and

bypassing a Web site's home page containing important information, such as advertisers'

or sponsors' messages, that must first be presented to the user or visitor before the

requested content can be displayed or provided in a target web page related to the deep

link or hyperlink activated at a content aggregator's web page (original source) (See

abstract; col. 2: 54 to col. 3: 30).

More specifically, **with respect to at least claims 1, 24, 25 and 47,** Dutta teaches a method of and a system for:

identifying a hypertext link on a source web page **of a content aggregator's web site coupled to web server 102 of fig. 1** as a deep link, said hypertext link referencing a target web page on a target web site **or content producer's or content provider's web site coupled to web server 101 of fig. 1;** upon selecting said selecting said deep link (i.e. hyperlink) by a user or visitor **using client 103 of fig. 1,** accessing a deep link table **or database,** associated with said deep link, containing web page links and rules **(a sequence of web page links related to a plurality of pages that must first be viewed before the user's requested page or content is provided or displayed thereon)** for establishing web content that is to be presented to a visitor at said target web site **of the content producer or for controlling how requested content related to the deep link is to satisfied;** and displaying the requested web content related to the deep link according to the rules **or after the visitor has been exposed to a plurality of web pages, containing important information including sponsors' ads, at the content producer web site).**

Further, as recited in at least claim 24, Dutta implicitly or explicitly supports the steps of: accessing a target web site of a content producer 103 and identifying as deep link all web page links that do not include a sequence of other related web pages or that do not start with at least the content producer's home page (in other words, all links related to web page content that go too deep into the target web site of the content producer, while bypassing the sequence of other related web pages or at least the content

producer's or content provider's home page containing important information including

sponsors' ads, are candidates for deep linking- see abstract);

utilizing a browsing history of web pages navigated **by a user** at said target site **of**

content provider 103 of fig. 1 by tracking, via a cookie, the user's activity or the

originally requested deep linked or hyperlinked page from the various pages from

the target web site home page to reach the desired web page content corresponding

to the deep link (col. 3: 4-9), entering or accessing, **by the user from a source web site**

of a content aggregator 102, at least one target web site page (**content) (a web page of**

a target web site of the content producer 103 providing user's requested content)

identified as a deep link in a deep link table **or database if it requires that the user go**

deep into the target web site, when accessing the target page content, while

bypassing the sequence of other related web pages or at least the content producer's

or content provider's home page containing important information including

sponsors' ads.

(col. 1: 34-56; <u>col. 2: 54 to col. 3: 30</u>; col. 3: 60 to col. 4: 29; fig. 1

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

USP 5,177,936 to Cragun discloses a mechanism for providing

contextual information for a web page. In the preferred embodiment, a

browser displays multiple web pages in multiple windows in a parent-child

hierarchy on a display screen. The browser maintains this hierarchical

relationship by building and updating a window-list data structure, which

contains information about the active windows and their web-page contents.

When the user requests a change to the contents of one window, the browser

updates the contents of the other windows to maintain the parent-child

hierarchical relationship. In this way, the browser provides contextual

information for a displayed web-page (See abstract).

See also US Patents 6, 826, 594 and 2005/0119921.

Any inquiry concerning this communication from the Examiner should be

directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The

aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM

EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

Supervisor, Ms. Lynda Jasmin, can be reached at (571) 272- 6782.

Non-Official- 571-273-6719.

Official Draft : 571-273-8300

03/13/10

/J. J./

/Jean Janvier/

Primary Examiner, Art Unit 3688